

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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A.P., *individually and on behalf of minor child* :
C.P., :
Plaintiffs, :
: : 23 Civ. 6651 (LGS)
-against- :
: : ORDER
: :
NEW YORK CITY DEPARTMENT OF :
EDUCATION, :
Defendant. :
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, Plaintiff filed a Complaint on July 31, 2023. Defendant filed its Answer on November 27, 2023. It is hereby

ORDERED that by **December 7, 2023**, the parties shall return an executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form to the Clerk of Court,¹ if the parties agree to conduct all further proceedings before Judge Lehrburger, in compliance with Rule 73.1 of the Local Civil Rules for the Southern and Eastern Districts of New York. It is further

ORDERED that by **December 20, 2023**, Plaintiff shall file a motion for summary judgment, not to exceed 25 pages. By **January 12, 2024**, Defendant shall file the opposition and any cross-motion for summary judgment, not to exceed 30 pages. By **February 2, 2024**, Plaintiff shall file a reply and opposition to Defendant's cross-motion for summary judgment if any, not to exceed 15 pages. By **February 16, 2024**, Defendant shall file a reply in support of the cross-motion for summary judgment if any, not to exceed 10 pages. Notwithstanding these

¹ The form is available at
https://nysd.uscourts.gov/sites/default/files/practice_documents/kpfSDNYFormConsentingToProceedForAllPurposesBeforeAMagistrateJudge.pdf.

aforementioned page limits, each party has discretion over how to allocate its respective 40 pages total of briefing across its two briefs, provided neither party exceeds the 40 pages of briefing total. It is further

ORDERED that the parties shall Bates-stamp the administrative record (the “Record”) such that each page has a unique Bates number. It is further

ORDERED that, in lieu of separate Local Rule 56.1 statements, the parties shall file a joint statement of undisputed facts (“Joint Statement”), with citations to the Bates-stamped Record, **by the time that the first brief is due**. The parties shall indicate any disputed facts clearly in the Joint Statement. It is further

ORDERED that, within two days of the cross-motions being fully briefed, the parties shall email to Chambers a text-searchable copy of the Bates-stamped Record and a Word version of the Joint Statement. Defendants (as the last-to-file party) shall also submit the courtesy copies of all filings to Chambers. Except as provided here, the parties shall follow the Individual Rules on motions, exhibits and courtesy copies.

If the parties consent to Judge Lehrburger’s jurisdiction, they shall seek further instructions from Judge Lehrburger on delivering electronic copies of the record and the Joint Statement and physical courtesy copies to his Chambers.

Dated: November 28, 2023
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE